



THE REGIONAL PLANNING COMMISSION

County of Los Angeles

MINUTES

Meeting Place: Room 150 Hall of Records
320 W. Temple Street
Los Angeles, California 90012

Meeting Date: September 28, 2016 - Wednesday

Time: 9:08 a.m.

Present:

Commissioners Shell, Smith, Louie, Pedersen

Absent: Commissioner Modugno

Ex Officio Members:

Director of Public Works: Mr. Matthew Dubiel, Senior Civil Engineer

County Counsel: Ms. Jill M. Jones, Senior Deputy

Planning Director: Mr. Sorin Alexanian, Deputy Director, Current Planning Division

Forester and Fire Warden: Ms. Janna Masi, Supervising Fire Prevention Engineer

PLEDGE OF ALLEGIANCE

1. The Pledge of Allegiance was led by Commissioner Pedersen representing the Fourth Supervisorial District.

APPROVAL OF AGENDA

2. Motion/second by Commissioners Smith/Louie – That the agenda for September 28, 2016 be modified to begin with Item No. 8 – Plan No. RPPL2016000547-(3) followed by the remaining items on the agenda.

At the direction of the Chair, the agenda was approved with Commissioners Smith, Louie, Shell and Pedersen in favor and Commissioner Modugno being recorded as absent.

COUNTY COUNSEL REPORT

3. There were no reports given by County Counsel.

DIRECTOR/DEPUTY DIRECTOR

4. There were no reports given by Director/Deputy Director.

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MINUTES FOR APPROVAL

5. Motion/second by Commissioners Smith/Louie – That the minutes for August 31st and September 7th, 2016 be approved.

At the direction of the Chair, the minutes were approved with Commissioners Smith, Louie, Shell and Pedersen in favor and Commissioner Modugno being recorded as absent.

DISCUSSION AND POSSIBLE ACTION

Community Studies - West Section

Project Approved

8. **Plan No. RPPL2016000547-(3). Santa Monica Mountains Local Coastal Program Amendments. Applicant: Los Angeles County. The Unincorporated Santa Monica Mountains Coastal Zone. The Malibu Zoned District. To consider the Board of Supervisors' modifications to the Santa Monica Mountains Local Coastal Program amendments.**

Ms. Saraf presented the staff report and indicated that the Board of Supervisors referred the additional text and zone changes back to the Regional Planning Commission for consideration and environmental analysis to determine environmental impacts.

Ms. Saraf provided the Commission the following additional text changes to the Santa Monica Mountains Local Implementation Program (LIP):

- 1) Section 22.44.690 allows the Director of Regional Planning to refer a cease and desist order, notice of violation, or permit revocation to the Regional Planning Commission to consider a five-year ban on any application being filed for the subject property. Ms. Saraf indicated that this is intended to serve as a disincentive to conducting unpermitted or illegal development. This provision would comply with Section 30240(a) of the California Coastal Act because it would discourage unpermitted and illegal development, which thereby prevents potential damage to sensitive habitat areas;
- 2) Section 22.44.950 would place limits on when an emergency oak tree permit can be issued;
- 3) Section 22.44.820 would limit the types of development that could qualify for a "repair and maintenance" exemption from the LIP;
- 4) Section 22.44.1810 and 22.44.1830 would ensure that habit protection policies are applied even when habitat has been damaged or removed inappropriately as a result of legally permitted development;

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DISCUSSION AND POSSIBLE ACTION (Cont.)

Community Studies - West Section

- 5) Proposed additional minor text changes to the LUP and LIP would not substantively alter standards, in order to comply with Coastal Act and LUP policies;
- 6) Additional parcels are proposed to be re-designated to open space. These parcels were specifically acquired by the National Park Service and the Mountains Recreation and Conservation Authority to be used as dedicated open space areas. Re-designating these parcels to the Open Space Parks (OS-P) land use category and the Open Space Parks (O-S-P) zone would ensure that any future development would be limited to primarily low-intensity, resource-dependent uses;
- 7) Two additional parcels are proposed to be re-designated to the Commercial Recreation – Limited Intensity (CR) land use category and the Resort and Recreation (R-R) zone. Re-designating Assessor's Parcel Number 4440-006-005 and 4440-006-021 to the CR land use category and R-R zone would make the existing uses properly confirming to LIP requirements; and
- 8) Seven parcel in the Tuna Canyon area (4448-005-023, 024,025,026,027, - 032, and 035), which the Board directed the Department of Regional Planning and County Counsel to investigate, are recommended to remain as open space.

Ms. Saraf stated that the Board's changes to the Santa Mountains LCP amendments are intended to strengthen resources protection, correct typographical errors, and correct and update zoning, and would not have significant environmental impacts.

Commissioner Shell praised staff for working closely with the Coastal Commission and the community and thanked them for their work in modifying the Local Coastal Program.

Motion/second by Commissioners Smith/Louie – That the Regional Planning Commission recommend approval of the Board of Supervisors modification to the Santa Monica Mountains Local Coastal Program amendments.

At the direction of the Chair, the item passed with Commissioners Smith, Louie, Shell and Pedersen in favor and Commissioner Modugno being recorded as absent.

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PUBLIC HEARINGS

Zoning Permits - East Section

Action Taken as Noted

6. **(Continued from 08/17/16). Conditional Use Permit No. RPPL2016000939-(1). Applicant: 7-Eleven Inc. 3517 E. 1st Street, East Los Angeles. East Los Angeles Zoned District. To authorize a Conditional Use Permit for the sale of beer and wine for off-site consumption (Type 20 alcohol license) at an existing 7-Eleven convenience store in the FS (First Street) transect zone within the unincorporated community of East Los Angeles.**

Mr. Mar presented the staff report and indicated that currently, there are two other establishments within a 500 foot radius of the subject property that sell alcohol. These licenses include one Type 41 license for on-site for beer and wine sales ("La Bufadora Bar") and one Type 21 license for off-site full line alcohol ("Ayutla Liquor"). Therefore, there is an undue concentration of businesses that sell alcohol near the subject property. The sale of beer and wine for off-site consumption at the subject property would not serve a public convenience and necessity to the surrounding community if there is an existing nearby business that sells off-site alcohol.

The subject property is located within 600 feet of four sensitive uses which include a high school, a church, and two early childhood education schools.

Testimony was followed by Enrique Vega, applicant's representative in support of the project. He stated that project 7/11 would support a neighborhood-oriented retail store along a major commercial corridor that would provide goods and services to the local community. Two additional members of the public spoke in support.

Mr. Vega stated that the project is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect the community. He stated that 7-Eleven conducted an outreach to the community and local business organization and elected officials describing the project.

Testimony was received from six members of the community voicing their concerns that an additional store that offered the sale of alcohol would be a nuisance to the area and would amplify problems to an already high crime area. They requested that the project be denied.

Commissioner Smith raised concerns regarding loitering, trash and graffiti and asked what plan the applicant proposes for addressing these concerns. Mr. Manjid Singh, the store operator stated that he has placed additional trash cans around the project site.

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PUBLIC HEARINGS (Cont.)

Zoning Permits - East Section

Mr. Singh stated that he has the parking lot swept daily, and the parking lot pressure washed once a week.

In addition, Mr. Singh indicated that he has installed security cameras inside and out to watch daily activities.

Commissioner Louie inquired how the Department of California Alcoholic Beverage Control (ABC) determines when there is an existing over concentration of alcoholic beverage licenses and whether or not they take into consideration the density, character or needs of the community.

Mr. Mar replied that ABC measures concentration according to the census tract and based on the population.

Commissioner Pedersen stated that he can support the project if two licenses could be purchased and one retired within the East Los Angeles community not outside.

Commissioner Smith stated that excessive alcohol sales has negative impacts on the community. He stated that the Department of Regional Planning is currently considering the SAAFE Ordinance, which would regulate alcohol establishments not subject to Conditional Use Permits and provide healthy food for convenience stores in the County.

Commissioner Shell raised concerns that the operating hours of alcohol sales from 6 a.m. to 2 a.m. was too long since the potential impact of alcohol could be sold to minors since there is already over concentration in the community. She agreed that acquiring two licenses and retiring one would benefit the community. Commissioner Shell thanked the community for expressing their concerns and for the applicant support by outreaching to the community.

Mr. Vega stated that 7-Eleven is aware of the oversaturation of alcohol licenses in the immediate vicinity and in order to address this concern, 7-Eleven is willing to purchase two existing licenses and utilizing one at the location and retiring another one but would need to go back to 7-Eleven corporation to see if they're willing to pursue.

Motion/second by Commissioners Smith/Louie – That the item be continued to Wednesday, December 14, 2016 to allow the applicant to work with staff and the applicant in acquiring two existing ABC Type 20 licenses and retire one within the same census tract.

At the direction of the Chair, the item was continued to Wednesday, December 14, 2016.

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PUBLIC HEARINGS (Cont.)

Field Offices - Permits West

Action Taken as Noted

7. **Project No. R2015-02506-(2). Conditional Use Permit No. RCUP201500105. Applicant: 7-Eleven Inc. 10801 Hawthorne Blvd. Lennox Zoned District. To authorize a Conditional Use Permit for the sale of beer and wine for off-site consumption (Type 20 alcohol license) at an existing 7-Eleven convenience store within the Lennox community.**

Ms. Lynch presented the staff report and stated there are two establishments within 500 feet that sell off-site alcohol, Top Market Value 3 has a Type 21 license for off-site. The other is El Zorro Market, Type 20 license for off-site beer and wine.

Ms. Lynch stated that there are two sensitive churches nearby located west of the project and on south side of Lennox Boulevard.

Testimony was followed from Encurie Vega, the representative in favor of the project. He requested that the item be continued to allow them to locate alternative licenses. Six members spoke in support of the project. There being no members of the public in opposition, no rebuttal was required.

Commissioner Louie thanked the members of the community who have taken the time to come and expressed their support for this project. He stated that operators must be in compliance with conditions properly placed in order to benefit the community.

Commissioner Louie requested that the item be continued to allow the applicant to work with staff in conditions that are acceptable and acquiring two licenses with one being retired.

Motion/second by Commissioners Louie/Smith – That the item be continued to Wednesday, December 14, 2016 to allow the applicant to work with staff and the applicant in acquire two existing ABC Type 20 licenses and retire one within the same census track.

At the direction of the Chair, the item was continued to Wednesday, January 11, 2017.

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PUBLIC COMMENT

9. Public comment pursuant to Section 54954.3 of the Government Code.

There were no requests by members of the public to address the Commission.

CONTINUATION OF REPORTS

10. Possible Call for Review of Decisions by Hearing Officer, pursuant to Section 22.60.200 of the Los Angeles County Code.

There were no items Called up for Review by the Commission.

11. Commission/Counsel/Director Reports

Commission

Tentative Commission Meeting Schedule – January through June 2017.

Motion/second by Commissioners Smith/Shell – That the Regional Planning Commission approve the Meeting Schedule – January through June 2017.

At the direction of the Chair, the item passed with Commissioners Smith, Shell, Louie and Pedersen in favor and Commissioner Modugno being recorded as absent.

ADJOURNMENT

A recording of the testimony received and the discussions held at this meeting and a copy of all findings and resolutions acted upon by the Commission are on file in the Department of Regional Planning.

The Commission adjourned at 11:35 a.m. to Wednesday, October 5, 2016.



Rosie O. Ruiz, Commission Secretary

ATTEST

APPROVE



Laura Shell, Chair



Sorin Alexanian, Deputy Director
Current Planning Division